

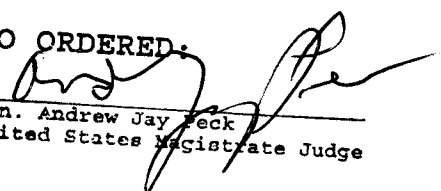
MEMO ENDORSED ORDER, 17 CIV. 0703 (PKC) (AJP)

Request denied. The question is not the value of your teaching about "cosmology." That is not the issue in this lawsuit- the issue in the lawsuit is whether Columbia's denial of your offer to teach such a course, or how they rejected you, violates your federal constitutional or statutory rights. If not, then this case does not belong in federal court. That is the argument advanced in defense counsel's letter and will be raided and decided in the motion to dismiss for which the Court has set a schedule. (That motion will be decided by Judge Castel, unless all parties consent to the case being before me for all purposes pursuant to 28 USC section 636^c (copies of the consent form and instructions are on the Court's website under my rules.) Thus, since information about cosmology is not relevant to this cases, particularly at this time, the Court denies your request for a hearing or your alternative course proposal.

Dated: New York, New York
February 23, 2017

COPY ECF: All Parties & Counsel
Judge Castel

SO ORDERED:


Hon. Andrew Jay Beck
United States Magistrate Judge

BY ECF

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 2/24/17

February 23, 2017
500 Pearl Street
New York, New York 10007

David Roemer
345 Webster Ave., Apt. 4-O
Brooklyn, NY 11230

MEMO ENDORSED 2/23/17
- ATTACHED

Dear Judge Peck,

I am the plaintiff in 17-cv-000703-PKC-AJP. In a letter to Judge Castel dated 2/18/17, I advised the court of my intention to file a motion for a hearing. My desire is to give the court the same developmental lesson on the cosmological argument for God's existence that the New York State Unified Court System through the actions of the defendants is unlawfully preventing me from giving the students and faculty of Columbia U. If the students at Columbia could learn about the cosmological argument by consulting the philosophy professors at Columbia or reading the entry "Cosmological Argument" in the Stanford Encyclopedia of Philosophy, my lecture/lesson has little social value. This would make my lawsuit frivolous, as Mr. Schelling said in his letter to Judge Castel.

However, it occurred to me that there is another way the court can determine the social value of my lesson/lecture. In a lesson, I would ask the students to attempt to answer the 28 questions in the handout without my help. I would then give the students as much help and assistance they needed to understand the questions and the correct answers.

My new idea is to consider the 28 questions to be an interrogatory and part of the discovery process. In my motion, I'll be asking the court to make the defendants answer the 28 questions preferably with the help of a Columbia philosophy professor. I'm including in this fax the proposed interrogatory.

I have pending before this court a motion to allow me to file my papers electronically. I'd appreciate a quick decision on this motion.

/s David Roemer, pro se
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347-414-2285

Faxed to Judge Andrew J. Peck (212-805-7933), Attorney Grievance Committee (212-287-1045), and Andrew Schilling (212-600-2405)

What Is a Developmental Lesson?

Lecturing is not a good way for anyone to learn. Students learn best if they are given an opportunity to create their own knowledge by answering questions and discussing the aim of the lesson in a group. What follows can be used as a handout in a lesson explaining the arguments for God's existence.

1. The human mind is structured like the scientific method. At the lowest level is making observations. The next level is asking questions about the observations and inventing answers or theories. The third level is gathering evidence and deciding whether a theory is true or just probable. The fourth level is deciding what to do with our bodies. Making observations requires paying attention. What do the other three levels require?

2. Is this quote about "supernatural means" and the image of Jesus on the Shroud of Turin rational? **There are only three classes of possibilities for the image formation: by human artifice, through natural processes transferring the image to the linen from a real crucified corpse, or by supernatural means. Of the third, not much can be said, because then all scientific discussion and all rational discourse must perforce cease....But a lot can be said about natural processes. In terse summary, they can be ruled out definitely by the quality and beauty of the shroud image.** (Mueller, Marvin, "The Shroud of Turin: A Critical Appraisal," The Skeptical Inquirer, Spring 1982, p. 27)

3. What is an observation that leads to the theory of common descent with modifications (theory of evolution)?

4. What are the authors of this quote saying about natural selection and common descent?

The history of life presents three great sources of wonder. One is adaptation, the marvelous fit between organism and environment. The other two are diversity and complexity, the huge variety of living forms today and the enormous complexity of their internal structure. Natural selection explains adaptation. But what explains diversity and complexity? (Daniel McShae and Michael Brandon, Biology's First Law :The Tendency for Diversity and Complexity to Increase in Evolutionary Systems, 2010, location 78)

5. Is there a conflict between this quote and the quote in question #4?

They [Pinker and Bloom] particularly emphasized that language is incredibly complex, as Chomsky had been saying for decades. Indeed, it was the enormous complexity of language that made it hard to imagine not merely how it had evolved but that it had evolved at all.....But, continued Pinker and Bloom, complexity is not a problem for evolution. Consider the eye. The little organ is composed of many specialized parts, each delicately calibrated to perform its role in conjunction with the others. It includes the cornea,...Even Darwin said that it was hard to imagine how the eye could have evolved.....And yet, he explained, it did evolve, and the only possible way is through natural selection—the inestimable back-and-forth of random genetic mutation with small effects... Over the eons, those small changes accreted and eventually resulted in the eye as we know it. (Christine Kenneally, *The First Word: The Search for the Origins of Language*, 2007, pp. 59–60)

6. There is a lot of evidence for the theory that whales evolved from bacteria over a period of about 100 million decades. Rational people judge this theory to be true. This raises the question of what caused life to begin and transform as it did. In other words, what was the mechanism for evolution? Why is the theory that there was an intelligent designer irrational?

7. What are the observations that lead to our knowledge of God's existence?

8. What are the questions that the observations in your answer to question #7 should cause an intelligent person to ask?

9. What is wrong with this quote from an atheist about the mind-body problem:

Among the traditional candidates for comprehensive understanding of the relation of mind to the physical world, I believe the weight of evidence favors some form of neutral monism over the traditional alternatives of materialism, idealism, and dualism. (Thomas Nagel, *Mind and Cosmos: Why the Materialist Neo-Darwinian Conception of Nature Is Almost Certainly False*, location 69 of 1831)

10. What is wrong with this quote from a biology textbook about the mind-body problem:

And certain properties of the human brain distinguish our species from all other animals. The human brain is, after all, the only known collection of matter that tries to understand itself. To most biologists, the brain and the mind are one and the same; understand how the brain is organized and how it works, and we'll understand such mindful functions as abstract thought and feelings. Some philosophers are less comfortable with this mechanistic view of mind, finding Descartes' concept of a mind-body duality more attractive. (Neil Campbell, *Biology*, 4th edition, p. 776)

11. What is wrong with this quote from a Catholic philosopher about the mind-body problem:

Acts of self-consciousness (awareness of awareness) are difficult to explain through regular space-time models (one act of awareness capturing itself, as it were). (Robert Spitzer, *New Proofs for the Existence of God: Contributions of Contemporary Physics and Philosophy*, 2010, location 2211).

12. What is wrong with this quote from a Catholic physicist about the mind-body problem:

However, having started with the empirically quite unsupported postulate of atheism, the materialists is practically forced to call a variety of empirical facts 'illusions'—not facts that are in front of his eyes, but are behind his eyes, so to speak, facts about his own mind....None of this is to deny that there are some very hard questions that arise from the idea that the human mind is not entirely reducible to matter. There certainly are. For instance, if there is something immaterial about the mind, how does it affect the brain and body? (Stephen M. Barr, *Modern Physics and Ancient Faith*, 2003, location 4612)

13. Why are human beings superior to animals?

14. Why are human beings equal to one another?

15. How can two humans be different from one another and at the same time equal to one another?

16. What is a human being?

17. Bishop George Berkeley (1685 to 1753) was sitting on a rock and contemplating the universe. He figured he existed because God created him. Berkeley then realized that the rock did not know it existed. Why did God create the rock? Berkeley figured God created the rock so Berkeley would have a place to sit. But God has infinite power, so God could just as easily create the illusion that the rock exists in Berkeley's mind as the rock itself. The philosophy that the material world is an illusion is called *idealism*. Why is idealism wrong?

18. What is the significance for the arguments for God's existence of the fact that other human beings exist?

19. What is a *final cause*?

20. What is causality in physics?

21. What is causality in metaphysics?

22. What is the difference between causality in physics and causality in metaphysics?

23. Why does a finite being need a cause?

24. What can cause a finite being?

25. Can there be an infinite regression of finite beings: A is caused by B, B is caused by C, and so on?

26. What is the argument for the existence of God based on the existence of finite beings?

27. Why is the argument based on finite beings not a proof of God's existence?

28. What is the other argument for the existence of God?